

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION

FILED
U.S. DISTRICT COURT
BRUNSWICK DIV.
2009 FEB 25 PM 1:25
CLERA C. Robinson
SO. DIST. OF GA.

UNITED STATES OF AMERICA

v.

CASE NO.: CR208-33

KEON FULLER

ORDER

Defendant Keon Fuller ("Fuller") filed a Motion to Suppress all evidence obtained in violation of his Fourth, Fifth, and Sixth Amendment Rights. After conducting an evidentiary hearing on the Motion, Magistrate Judge James E. Graham issued a Report wherein he recommended that Fuller's Motion be denied. Fuller Objected to the Magistrate Judge's Report and Recommendation.

In his Objections, Fuller contends that the Magistrate Judge erred by finding that Brunswick Police officer Matthew Wilson ("Wilson") had a reasonable suspicion that he was engaged in criminal activity and that he was properly frisked for Wilson's personal safety. (Doc. No. 39, p. 2). Specifically, Fuller asserts that the Magistrate Judge's reliance on Terry v. Ohio, 392 U.S. 1 (1968), and Illinois v. Wardlow, 528 U.S. 119 (2000), is misplaced. (Doc. No 39, p. 3). Fuller further asserts that there was no genuine justification for Wilson to feel that he was in danger. (Id. at 4).

After an independent review of the record, the undersigned concurs with the Magistrate Judge's Report and Recommendation. Fuller's Objections to the Magistrate Judge's Report and Recommendation are without merit. The Motion to Suppress filed by Defendant Fuller is **DENIED**.

SO ORDERED, this 25 day of Feb., 2009.


JUDGE, UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA